JustResearch

Research and Statistics Division

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Welcome

Welcome to the newest issue of *JustResearch*! You will notice that we have added two new features, which we believe will be great additions to our publication. First, within each issue, we will be profiling the recent research of a Canadian academic that will be of interest to the Department of Justice. In this issue, we choose to profile the work of E. Sandra Byers and Heather Sears who work in the Muriel McQueen Fergusson Centre for Family Violence Research at the University of New Brunswick. Their Dating Violence Research Team submitted a synopsis of their recent work on dating violence among adolescents in New Brunswick. Second, we will be profiling the innovative work of one of our own researchers from within the Research and Statistics Division. Our first submission examines the effectiveness of restorative justice programs through the use of meta-analytic techniques.

In this Issue

In this issue of *JustResearch*, we reviewed several articles on victimisation and family violence, as well as interesting articles on capital punishment, conditional sentencing and cyber-crime. As previously mentioned, we have also included profiles of new research from the Research and Statistics Division and from a Canadian academic. And finally, we have our customary coverage of research from our Division as well as from around government.

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Canada

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Feedback

We invite your comments and suggestions for future issues of *JustResearch*. We welcome your ideas for articles, themes, topics or issues to examine from the literature and are happy to include information on any relevant and interesting research work undertaken in other Departments.

We may be contacted at **rsd.drs@justice.gc.ca**

Upcoming Symposia

Association canadienne-française pour l'avancement des sciences (ACFAS)
May 14-17, 2001, Sherbrooke, Québec
Theme: Le savoir critique?
http://www.acfas.ca/congres/index.html

4th National Outlook Symposium on Crime in Australia
June 21-22, 2001, Canberra, Australia
Theme: New Crimes or New Responses
http://www.aic.gov.au/conferences/outlook4/index.html

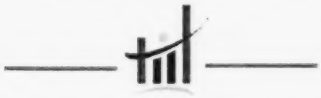
Call for Papers for the 4th Annual Policy Research Conference
December 6-7, 2001, Ottawa, Ontario
Deadline for submissions is April 27, 2001
http://policyresearch.schoolnet.ca/NationalConference/2001/whatnew-e.htm

Connexions

Policy Research Development Program
The Policy Research Initiative has created a Policy Research Development Program, and has begun the first phase of the Human Resource Strategy to Build Policy Research Capacity in the federal government.
http://policyresearch.schoolnet.ca/HRStrategy/humanresource-e.htm

The Australian Institute of Criminology
"The Australian Institute of Criminology is the national focus for the study of crime and criminal justice in Australia and for the dissemination of criminal justice information. The Institute draws on information supplied to it by a wide variety of sources and its policy advice is objective and independent." This site contains information on conferences, a library, publications, research and statistics, as well as specific pages devoted to crime prevention, restorative justice, policing and corrections.
http://www.aic.gov.au/index.html

National Clearinghouse on Family Violence
A resource for professionals, front-line workers, researchers and community groups with research findings relating to family violence. The site offers online bibliographic searching of over 8000 articles, books and periodicals, a directory of people and organisations working in the area of family violence, lists of articles, fact sheets, information kits and National Film Board videos relating to family violence, and more.
http://www.hc-sc.gc.ca/hppb/familyviolence/bilingual.htm



CONDITIONAL SENTENCING IN CANADA

Sanders, T. & Roberts, J. (2000). **Public attitudes toward conditional sentencing: Results of a national survey.** *Canadian Journal of Behavioural Science*, 32 (4), 199-207.

Reviewers:
Karen Ng, Research Assistant
Dan Antonowicz, Research Analyst

In 1996, Parliament created Bill C-41, a new sentencing reform bill. In particular, it introduced a conditional term of sentencing that offenders serve in the community under supervision. Judges may impose a conditional sentence if (1) the offence for which the offender has been convicted does not carry a minimum term of imprisonment, (2) the judge has already decided to sentence the offender to a period of incarceration of less than two years, (3) the court is satisfied that the offender would not endanger the community, and (4) the judge is satisfied that that the conditional sentence would be consistent with the purposes and principles of sentencing contained in the *Criminal Code*. Additionally, these offenders must also observe a number of compulsory conditions such as keeping the peace and reporting to a probation officer, and optional conditions that are designed to respond to the needs of the particular offender (e.g., drug treatment program). This relatively new alternative to imprisonment has received widespread attention. Supporters praise it as a new sentencing option that will serve to reduce the number of offenders sent to prison, while critics are opposed to its use in certain cases (i.e., sexual aggression).

Public attitudes are generally a matter of great importance to conditional sentencing. If the public is opposed to the use of conditional sentencing, its widespread use will essentially undermine their respect for the law and thus their confidence in the courts. There is also evidence that judges are sensitive to public perception. Hence, if such a sentence is unpopular with the public, it is more likely to become unpopular with the judges as well. The purpose of this particular study was to (1) evaluate the extent of public awareness of conditional sentencing, (2) explore the degree of public support toward this new sentencing option using six crime scenarios representing a range of seriousness, (3) test the experimental hypothesis that public support for the conditional sentence would increase if the specific conditions attached to the sanction were known in detail, and (4) determine whether public views toward conditional sentencing had changed compared to an earlier study conducted by Marinos and Doob (1997) which surveyed 500 Ontario residents in 1997.

The present study surveyed a representative Canadian sample with a pre-tested questionnaire. It was conducted over the telephone between June 26 and July 3, 1999 by the Angus Reid Group, a national polling firm. The 1,501 participants involved reflected the regional age and gender distributions according to the 1996 census data provided by Statistics Canada.

The results of this national survey revealed that public knowledge regarding conditional sentencing is quite low. Less than half of respondents (43 percent) were able to identigy the correct definition of conditional sentencing from a list of possible definition. After being provided with a description of a conditional sentence and a term of imprisonment, public support for conditional sentencing over imprisonment ranged from only three percent in the case of sexual assault to a high of 77 percent in the case of assault causing bodily harm. The percentages for the other crime scenarios were as follows: impaired driving causing bodily harm (25 percent), fraud by lawyer (29 percent), fraud by employee (42 percent), and spousal assault (62 percent). When respondents were provided with a description of a break and enter case and were given a minimal amount of information about conditional sentences, only 27 percent favoured a conditional sentence. However, when the conditions imposed on the offender were made explicit, there was significantly more support for a conditional sentence (64 percent). The results of the present study also found that public views toward conditional sentencing remained virtually unchanged over the two years between the Marinos and Doob survey and the current survey. In the present study, 77 percent of respondents endorsed the use of a

conditional sentence in the case of an assault involving two individuals in a bar compared to 71 percent in the Marinos and Doob study.

The results of this study have implications for the Department of Justice. Given the lack of public knowledge with respect to this sanction, more efforts should be directed towards increasing awareness and knowledge. Increases in public knowledge should lead to greater support from the community which in turn should make judges feel more confident in imposing these sentences.

Conditional sentencing will likely continue to be an important aspect of the sentencing landscape in Canada. As a result, there will also be a continuing need to assess and reassess the conditional sentencing regime in order to determine if it is meeting its objectives. Along these lines, the Research and Statistics Division is funding a project that will assess the effects of a unanimous guideline judgement on conditional sentencing (R v. *Proulx*) which was handed down by the Supreme Court of Canada in January, 2000. The study will examine conditional sentences imposed after the *Proulx* decision in three court locations in British Columbia to determine whether there are any changes in offence profiles, sentence lengths, the use of optional conditions, breach rates, and responses to breaches compared to conditional sentences imposed prior to the decision.

THE DEATH PENALTY AND THE IMPACT OF SOCIAL SCIENCE RESEARCH

Radelet, M.L., & Borg, M.J. (2000). **The Changing Nature of Death Penalty Debates**. *Annual Review of Sociology,* 26, 43-61.

Reviewer:
Karin Stein, Research Dissemination Officer

Support for the death penalty in the United States, as gauged by public opinion polls, has fluctuated over the years. In the 1950s and 1960s, support for the death penalty was in the range of 47 percent. By the 1980s support peaked at 80 percent. However as of 1999, support has dropped to 71 percent. This article highlights the changing nature of the debate surrounding the death penalty, primarily in the United States, over the past 25 years. Radelet and Borg (2000) attribute a large part of this fluctuation to the influence of social science research. In particular, the authors purport research on the key death penalty debate issues (deterrence, incapacitation, caprice and bias, cost, innocence and retribution) have been instrumental. The authors suggests that arguments supporting the death penalty currently rely much more on retribution, and less on deterrence, cost, and religious principles, than they have in the past.

According to Radelet and Borg, *deterrence*, once a widely held belief and justification for the death penalty, is losing appeal. General deterrence assumes that the punishment of an offender will discourage potential offenders from committing similar offences. Overall, the bulk of deterrence studies have not shown capital punishment to be a more effective deterrent to homicide than long-term imprisonment. Opinion polls are also showing that this research has impacted the general public, as support for the death penalty as a deterrent to homicide has dropped considerably.

The theory of *incapacitation* states that executing killers will prevent them from killing again. While this is indeed true, social science research has demonstrated that only about 1 percent of homicide offenders go on to kill again. In addition, public opinion polls indicate that if citizens are convinced that an offender will never be released form prison, support for the death penalty drops dramatically.

Although efforts have been made to apply the death penalty in a way that would avoid *caprice and bias* (arbitrariness as well as racial and class bias), research conducted in the past 20 years has concluded that laws put in place to combat such bias have failed to achieve this goal. Significant race-of-victim effects, whereby the death penalty is more likely to be imposed in cases where the victim is white, are well-documented. Some race-of-defendant effects have also been found. Interestingly, regardless of the public's belief that certain defendants are

overrepresented as receiving death sentences for the similar crimes, a substantial majority of people polled continue to support the death penalty.

Fiscal *cost* is also an area of contention for proponents and opponents of the death penalty. The death penalty was once seen as a cheaper alternative to housing inmates for long prison terms, and opinion polls in the 1980s indicated support for the death penalty on the basis of the high cost of long-term imprisonment. A number of studies conducted in different states have firmly established that a modern death penalty system costs substantially more than an alternative system wherein the maximum penalty is life imprisonment. Critics of the death penalty argue that the resources allocated to death sentences would be more effective if devoted to reducing high rates of criminal violence or providing aid to families of homicide victims.

Recent research has indicated that miscarriages of justice, such as the execution of innocent defendants, are not as uncommon as initially thought. The execution of a so-called innocent individual does not constitute the only kind of *miscarriage of justice*. More frequently, an individual is guilty of a lesser crime of second degree murder or manslaughter, for which death is not the punishment. In other cases, a defendant might be found not-guilty by reason of insanity, self-defence, or that the killing was accidental. Social science research highlighting the frequent and somewhat inevitable wrongful convictions (considering the human-factor) of accused has been instrumental in changing the minds of some of the most staunch supporters of the death penalty.

Although the debate surrounding the issues of deterrence, incapacitation, cost, fairness and wrongful conviction and execution has been defused if not won by those opposed to the death penalty, the issue of *retribution* has gained support. Retributive arguments are generally made in the name of families of homicide victims who are said to need, or will benefit from, the retributive satisfaction that only the death penalty can offer. Conversely, very little research has been done on the effects of an execution on the family members of the homicide victim, or on the family of the executed. Ultimately, according to the authors, the determination of the punishment that an offender deserves is more a moral and less a criminological issue. Although people claim to support the death penalty as retribution, they demonstrate a concern for the suffering that an inmate endures. The public are much more accepting of death by lethal injection as opposed to the electric chair, because the injection gives the impression that the individual is being put to sleep. The authors argue, therefore, that the concern for the prisoner's suffering is inconsistent with the idea of retributive justice.

Although this article has focussed on the death penalty in the United States, the authors note that the trend towards abolition is international. Whereas a century ago only 3 countries had abolished the death penalty for all crimes, by the end of 1998, 67 countries had abolished the death penalty for all crimes, 14 retained it for exceptional crimes (such as during war time) and 24 had not had an execution in the last 10 years. On the other hand, the death penalty is gaining momentum in such countries as the Philippines, Taiwan, Yemen and the English-speaking Caribbean. And in the United States, both the Supreme Court and Congress have recently been restricting access to federal courts by inmates contesting their death sentences. A United Nations resolution co-sponsored by 72 member states was passed in 1999, calling for a moratorium on death sentencing. The resolution also calls for non-death penalty nations to refuse extradition of suspects to countries that continue to employ the death penalty. This is particularly relevant for Canada, given the recent case of Atif Rafay and Sebastian Burns, two Canadians charged with the murders of three of Rafay's family members in the State of Washington. The United States formally requested the extradition of Burns and Rafay for trial. The Supreme Court ruled 9-0, however, that before the accused can be extradited, the federal Minister of Justice is constitutionally required to seek assurances from the United States that the death penalty will not be imposed should the accused be convicted.

Conclusion

The authors highlight three observations as a result of their discussion surrounding the death penalty: First, the nature of death penalty debates has changed dramatically over the past 25 years. There is less evidence in support of the death penalty beyond

retribution. Second, while the discourse surrounding the death penalty within the United States is changing, there is an increasingly downward trend in the acceptance of capital punishment world-wide. The authors are of the opinion that the trend towards the abolition of the death penalty will continue. Finally, scholars' examinations of deterrence, race, cost, methods of execution, innocence, juror decision-making and the socio-political environment have contributed to the changing nature of death penalty debates. This is a heartening finding for many social science researchers who may have been under the impression that their research was at times for naught. Clearly, social science research is beginning to make a discernible impact on social policy.

DATING VIOLENCE AMONG YOUTH

Spencer, Gail & Bryant, Sharon A. (2000). **Dating violence: A comparison of rural, suburban and urban teens**. *Journal of Adolescent Health*, 27, 302-305.

Reviewer:
Steven Bittle, Research Analyst

In the last 15 years, a growing concern with male violence against women and children has contributed to a proliferation of studies that examine violence within intimate, heterosexual relationships. In addition to research concerning spousal violence, this body of literature includes studies that explore violence in dating relationships. In Canada, for example, various researchers have explored the nature and extent of dating violence among elementary, high school and college and university students (for example, see DeKeseredy and Kelly, 1993; Jaffe et al., 1992). The cumulative results of these studies suggest that male violence (physical, sexual and psychological) against women is common within dating relationships.

In this article, Spencer and Bryant engage this growing body of research by examining dating violence among 2,094 students from five school districts in upstate New York. According to the authors, although there has been a deluge of research documenting the problem of dating violence, there is a paucity of data that considers location (e.g., urban or rural) as an "independent variable to account for differential patterns of dating violence." To address this information gap, the authors investigate whether students in "urban, suburban, and rural communities experience the same rates of dating violence." Specifically, the authors (a) compare the extent of dating violence among students (grades 7, 9 and 11) in rural, urban and suburban schools, and (b) examine differences in dating violence by location and gender. Using a structured questionnaire, respondents were asked if they had experienced physical ("have you been slapped, hit, or kicked?") or sexual ("has another teen ever done something sexual with you that you didn't want?") violence in a dating relationship?

The findings indicate that rural students were more likely than suburban or urban students to have been "…slapped, kicked or hit by a boyfriend or girlfriend." Further, regardless of location, males were more likely than females to have experienced physical violence, with males in rural areas reporting higher rates of victimisation than males in urban or suburban areas. No significant difference was found with respect to location and experiencing sexual violence, although females were found to be at a "…significantly greater risk for sexual victimisation than male students in all school locations."

Unfortunately, the research contains several methodologically-related limitations. For instance, due to sampling and measurement errors, the results cannot be generalised. Further, the authors suggest that self-reported data within this study is susceptible to the reporting of "…incorrect information either consciously or unconsciously." However, the most serious weakness is that the methods employed do not permit an examination of the "…meaning, motive, or outcome (e.g., injury)" of violence in dating relationships (DeKeseredy & MacLean, 1998: 24). As a result, the authors only report the incidence and prevalence of dating violence (all acts are counted equally).

Using methods that ignore the nature of dating violence constrains the research in two ways. First, the authors simply describe the incidence of physical

encounters (slapped, hit, or kicked) in rural, urban and suburban locations. Accordingly, they fail to explore the nature or seriousness of the violent incidents (e.g., in which location does the violence have the most serious meaning, motive or outcome?). A second limitation is the inability to contextualise male-to-female violence, leaving the reader with the erroneous impression that physical violence in dating relationships is "...sexually symmetrical; that women and men are equally violent" (DeKeseredy & MacLean, 1998: 28). However, previous research that employs multiple methods (e.g., quantitative and qualitative) has found that only a minority of women have ever initiated a physical attack, most women commit physical violence in self-defence, and women who use self-defensive violence in dating relationships report higher rates of violence (both physical and sexual) committed against them (DeKeseredy & MacLean, 1998: 27).

Overall, the authors make some contribution to the literature by revealing that "rural students were more at risk of being the victims of dating violence that were suburban and urban students." (Although much work remains to examine the nature of violence within the different locations.) However, their argument that males are most likely to be hit, kicked, or slapped by their girlfriends has been challenged thoroughly by previous researchers as misleading and erroneous. In this respect, the research results will speak primarily to conservatives and anti-feminists who challenge the "overwhelming evidence" (see DeKeseredy & MacLean, 1998: 24) that chronicles the serious nature and extent of male violence against women.

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SPOUSAL VIOLENCE

Sarantakos, Sotirios. (1999). **Husband Abuse: Fact or Fiction.** *Australian Journal of Social Issues*, 34(3), 231-252.

Reviewer:
Robin Fitzgerald, Research Analyst

This article is part of a growing body of literature examining violence perpetrated by women against their intimate partners. In his review, Sotirios Sarantakos joins other researchers and special interest groups who have argued that husband abuse is a widespread and significant social issue, which is disregarded by policymakers, service providers and front-line workers. He claims changes that have occurred over the past 30 years in response to wife abuse have resulted in radical shifts in the perception and treatment of domestic violence, and that these efforts have led to the feminisation of spousal abuse and the consequent invisibility of husband abuse. In his article, Sarantakos sets out to establish first that empirical evidence shows husband abuse exists and is as serious as wife abuse, and second that the notion of self-defence, which he claims is used frequently as an argument justifying female aggression, lacks merit. Sarantakos begins by reviewing empirical evidence of husband abuse from his native Australia. He provides examples including results from the Queensland Domestic Violence Task Force in which it was reported that 6.2% of victims of domestic violence were male, and the Victorian Injury Surveillance System where 28% of domestic violence victims in need of hospital care were men who were assaulted by their partners. With respect to international research, Sarantakos relies heavily on the 1975 and 1985 US National Incidence Study of Family Violence (Straus & Gelles, 1990). These results suggest that as many women as men reported using

some sort of violence against their spouse, although only a small proportion of either reported using very serious forms of violence. Sarantakos points out that in the US study, women reported some behaviours including throwing things, pushing, shoving and hitting with an object more often then men. Evidence of husband abuse from Canada is limited to a regional study in which men and women report similar levels of violence (Sommer, 1994).

Sarantakos concludes his article by contending that there is no valid empirical evidence that women use violence against their partners as a form of self-defence. He cites primarily American studies in which some women reported using violence when there was no imminent danger and frequently struck the first blow against male partners.

In his effort to defend the claim that husband abuse exists and is as serious as violence experienced by women partners, Sarantakos does not acknowledge that even among the most vocal opponents to the notion of husband abuse, there is widespread agreement that in some cases women do abuse their intimate partners. Thus the existence of some degree of violence perpetrated by women against male partners is not at issue; rather, it is the nature and extent of this abuse and the manner in which it is measured that needs closer attention. Sarantakos relies for the most part on evidence from community surveys in which both men and women are asked about their use of violence against an intimate partner. In these studies, researchers contact individuals at random in the general population, typically by telephone. Most spousal violence surveys rely on a set of questions focussing on the incidence of violent acts ranging from minor forms (e.g., pushing, slapping) to serious forms (e.g., use of a weapon).

As a means of measuring the nature and extent of husband abuse, there have been a number of important criticisms leveled against community survey data (for a discussion of these see, Tutty, 1999). Specifically, these surveys typically rely on the responses of one member of a couple. Studies that engage both members of a couple have demonstrated that men, more so than women, underreport their aggressive behaviours, particularly with respect to severe violence (Dobash et al., 1998; Tutty, 1999). In addition, community surveys frequently do not report on the outcome of violence, for example, whether injuries resulted. When questions about medical care following violence are asked, women are significantly more likely to have required medical attention than men. These questions were asked in the most recent Statistics Canada General Social Survey and results showed that women were three times more likely than men to be injured by spousal violence and five times more likely to require medical attention (Pottie Bunge & Locke, 2000).

Finally, there is a great deal of evidence to suggest that the serious violence experienced by some women is qualitatively different then the pushing, slapping and shoving that occurs with such regularity in many couples as to be considered 'normal' (Johnson, 1995; Tutty, 1999; Stark & Flitcraft, 1996; O'Leary, 1993). Community surveys typically only capture the less serious violence. Moreover, it has been well documented that men who chronically abuse their partners are not likely to participate in surveys, nor are women who may fear repercussions (Johnson, 1995; Straus & Gelles, 1990). Thus, a distinction can be made between estimates of spousal violence derived from community surveys, and more targeted information derived from women who have sought safety in emergency shelters. Tutty (1999) has stated that these different results can explain the sometimes radically different views regarding the prevalence and significance of husband and wife abuse.

While many would support Sarantakos' assertion that women can be the perpetrators of violence against their partners, it is difficult to refute the available evidence from researchers, service providers and front-line workers that woman abuse is a more serious and widespread social issue than husband abuse (Pottie, Bunge & Locke, 2000). Although all abuse victims should be offered appropriate levels of service, in this country current research confirms the need for continued specialized resources to be directed toward women victims. In support of this view, Sarantakos would certainly agree that it is also essential to encourage men who need services to request them.

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REPEAT VICTIMISATION

Menard, Scott. (2000). **The 'normality' of repeat victimisation from adolescence through early adulthood.** *Justice Quarterly*, 17 (3), 543-574.

Reviewer:
Stephen Mihorean, Senior Statistician

The availability of longitudinal victimisation data on a national scale is not that common, as work on victimisation all too often relies on cross-sectional data. The exploitation of the National Youth Survey (NYS), an American longitudinal survey of more than five years, is what makes this article so interesting.

Drawing on data from nine cycles of the NYS, spanning the years 1976-1992, Scott Menard examines the seriousness of victimisation incidents with particular attention to repeat victimisation. Having the advantage of seventeen years of longitudinal data, the study is able to more thoroughly examine the pattern of victimisation over time, by age and life course from adolescence through early adulthood.

Four primary research questions are addressed in this paper. Is victimisation an intermittent phenomenon? What is the life course experience of most individuals with respect to victimisation? To what extent is victimisation concentrated among a relatively small number of victims? And fourth, to what extent are the existing projections of lifetime victimisation, which are based on cross-sectional or shorter-term longitudinal data consistent with the longer-term longitudinal data as reported in the NYS?

Analysis is supplemented with the results from the Denver Youth Survey (DYS), a longitudinal sample of adolescents from a high-risk neighbourhood. The comparability of certain elements in the NYS to the DYS permits the author to analyse ethnic differences that would not be solely supported by the national sample of the NYS. This is a useful technique that both broadens and strengthens the scope of analysis.

Some of the empirical evidence is worth highlighting. Based on these data it is probable that two-thirds of the respondents were victims of violent offences, over 90 percent were victims of property offences, and the prevalence of total victimisation is at least 93 percent during the 17 year span of the NYS data. A finding that at the least supports Koppel's 1987 estimate that 83 percent of the general population would be a victim of a violent crime and 99 percent would be a victim of a property crime. If you have not already been a victim of a crime, chances are you will be.

On the question of the concentration of victimisation among a small number of victims, the data is both interesting and compelling. In adolescence, the 10 percent with the highest frequency of violent victimisation account for almost two-thirds of all violent victimisation, but in adulthood, the 10 percent with the highest frequency of violent victimisation account for over 80 percent of the total.

It is the notion that victimisation may be the rule rather than the exception that this study addresses. The author distinguishes between two types of repeat victimisation, *chronic* and *multiple*. *Multiple* being more than one victimisation incident in the study period and *chronic* victimisation defined as victimisation that occurs in more than one study period. Herein lies the analytical power of longitudinal data, making the study of the "chronic" type of repeat victimisation possible.

Chronic multiple victimisation is the most frequently observed pattern for total victimisation. Total victimisation includes both property and violent victimisation. Suggesting that being a victim of a crime is not a rare event and that there is a certain 'normality' in being a victim more than once.

Menard's review of the literature makes references to a number of major cross-sectional victimisation surveys. While the British Crime Survey is mentioned, Canadian household victimisation surveys, the General Social Surveys on Personal Risk and Victimisation for example, are not. The present study's focus on victimisation from the adolescent years through early adulthood raises some youth-specific issues that Canada's National Longitudinal Survey of Children and Youth may, in time, be able to address. Whether or not the findings of the present study are culturally specific or are transferable to the Canadian scene would also be worth investigating.

Most cross-sectional studies of victimisation paint a picture of repeat victimisation as being less common. Using the British Crime Survey and the National Crime Victimisation Survey, for example, studies have reinforced the view of the rarity of victimisation, countering the impression that victims who suffer repeated incidents of victimisation are probably doing something wrong.

Menard concludes, "we have met the repeat victims and they are us!" It is important to note that it is the rich longitudinal data source that was used which permits a conclusion of this gravity. That is a most noteworthy and significant point for researchers and victims' policy practitioners alike as it underlines the value of having complete information in order to effectively address victims' issues. Cross-sectional or shorter-term longitudinal data on victimisation are not sufficient to explore the subject of repeat victimisation as accurately or as well as was done here.

The author does make one particularly sobering observation – all victims, at least those during adolescence and early adulthood, should be treated as potential repeat victims. This issue would be well worth exploring from a Canadian standpoint using data from the National Longitudinal Survey of Children and Youth.

YOUTH OFFENDING AND VICTIMISATION

Regoeczi, Wendy C. (2000). **Adolescent violent victimisation and offending: Assessing the extent of the link**. *Canadian Journal of Criminology*, 42 (4), 493-505.

Reviewer:
Jasmine Brown, Research Dissemination Officer

Developing a greater understanding of the relationships between victims and offenders has been an area of research restricted mostly to adult offenders, while youth-related research has tended to focus more on offending behaviour. Victim-offender relationships can be essential to understanding victimisation as well as offending.

Recent research in adolescent victimisation has uncovered a *victim-offender overlap*. This means that youth who have a higher risk of being victimised are also those who participate in delinquency. Existing studies have shown that youth victimisation is

strongly associated with activities such as cruising and looking for alcohol (Jensen and Brownfield, 1986), and that the victim-offender overlap is more evident in violent offences than property offences. The generality of these results; however, is impeded by a focus on less serious crimes, such as assault or burglary, the reliance on American data, and the questionable reliability of self-reported data used in a considerable proportion of research.

The present study investigates whether this victim-offender overlap applies to the most serious offence – youth homicide victims in Canada – and whether more detailed research in this area is needed. Using data from the Canadian Centre for Justice Statistics on all reported homicide cases of youth aged 12 to 17 from 1985 to 1995, the researchers examined both the victims' and the offenders' criminal convictions from 1991-1995 using Canadian Police Information Centre (CPIC) data from the Royal Canadian Mounted Police. Of interest was the relationship between the victim and the offender, the criminal history of both the victim and the offender, the motive of the homicide, and the presence of alcohol during the crime.

There were 319 homicide victims aged 12-17 from 1985-1995, all of which were included in this study. Testing the hypothesis of a victim-offender relationship, the relationship between the victim and the offender was investigated. About one-third of victims were killed by someone they knew intimately (4.5 percent by a spouse/lover, and 26.4 percent by a family member). About 17 percent of victims were killed by a stranger. Both of these situations were not likely to involve delinquent or behaviour by the victim – homicide victims were either killed in the context of an established relationship, or during a chance encounter. In one-half of cases (51.7 percent) the victim was killed by a friend/acquaintance – these are the cases where the homicide could be linked to a victim-offender overlap.

Prior offence records

The victims' criminal conviction data was only available from 1991-1995. Of the 144 victims killed in these years, 97 (67.4 percent) did not have a prior record. Of those with a criminal record (n=47), 13 were violent offence records; four cases had a prior drug offence record, five victims had a record for other *Criminal Code*/federal statute offences, and in eight cases prior record was unknown. In 17 cases the victim had a previous property offence record, and 10 of these victims were killed by a friend or acquaintance. Therefore, the data seem to suggest that there is a relatively weak link between victim and offender populations, but that there might be an increased risk of victimisation in cases involving property offences. The study also examined the previous records of the offender, and found that homicide cases were more likely to involve an offender with a past criminal record than a victim with a past criminal record.

Alcohol use

Previous research has pointed to an association between activities that involve alcohol use (such as cruising and partying) and victimisation. In the present study of youth homicide victims; however, it is problematic to generalise on this relationship as this data was unavailable in almost 65 percent of cases. Of the 112 cases for which a drug/alcohol report was available, just over 56.3 percent did not involve drug or alcohol use by the victim. In almost 27.7 percent of cases alcohol was used, while drugs were used in 7.1 percent of cases, and both drug and alcohol were used by the victim in 8.9 percent of cases. Therefore, there is some support in the data that risky behaviour such as alcohol and drug use, could be related to an increased risk of youth homicide.

Motive of the homicides

This study also speculated that examining the motive of these youth homicides could indicate whether criminal behaviour by youth places them at a higher risk for victimisation. The motives of these youth homicides were available for 257 cases. Of these, 25.7 percent were killed during a criminal offence, and in 3.9 percent of cases the motive was jealousy; circumstances the authors suggest do not support the theory of a victim-offender overlap. In these cases, the victims were not killed as any direct result of criminal activity. In 14.4 percent of cases, revenge was the motive for these homicides, which could provide some limited support for the link between victimisation and offending.

Overall, while there is some evidence of a victim-offender overlap with respect to youth, the results of this exploratory analysis seem not to support this

relationship for youth homicides in Canada. This is perhaps due to the nature of youth crime in Canada: most youth crimes are property crimes (Tanner, 1996), and youth are more likely to be victims of crimes instead of perpetrators. This appears to go against prevailing public opinion on youth and youth crime (Department of Justice Canada, 2000). Implications flowing from this preliminary research could include a more detailed analysis of the victim-offender overlap with respect to youth, or expanding the research parameters to include a wider range of youth ages and other types of victims, such as attempted murder victims or assault victims, to more fully examine the existence of a victim-offender overlap.

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RESPONDING TO CYBER CRIME

Speer, D.L. (2000). **Redefining borders: The challenges of cybercrime**. *Crime, Law and Social Change*, 34, 259-273.

Reviewer:
Karin Stein, Research Dissemination Officer

David Speer's article employs a descriptive approach to highlight some of the major difficulties associated with defining, studying and combating cybercrimes. In particular, his focus is on how the nature of the crime is dependent upon the offender and the victim; how the crime fits into the current means of analysing a security threat; and finally, how security structures can combat cybercrimes.

Cybercrime is the newest and perhaps most challenging form of crime. Traditional and institutionalised methods of security and law enforcement which rely on tracking physical locations and sources of security are ineffective in combating cybercrime. Part of the problem is the lack of a clear definition of what constitutes cybercrime. The terms *cybercrime* and *information warfare* are often used interchangeably, although they are significantly different. Information warfare involves war-related activities engaged in by individuals, organisations and governments. Conversely, *cybercrime* refers to activities in which computers or other technological equipment (i.e., cellular telephones) are used for unlawful activities such as theft, fraud, electronic vandalism and violation of intellectual property rights. Cybercrime can be differentiated from other crimes in four ways: the location of the offender with relation to the crime, the victim, the offender and how crimes of this nature are dealt with.

With respect to *location*, the criminal is not usually present at the scene of the crime, and may even be in another province, state or country. Apprehension is hindered not only by the distance from the scene of the crime, but also by jurisdictional problems that enforcement officials encounter. The *victim* of such a crime is also different from conventional crimes in that the victims are primarily governments, corporations and organisations. Legislative initiatives have been hindered by the competing demands of protecting individuals from invasions of their privacy on one hand and efforts to monitor computers for security breaches on the other. This is particularly problematic when one takes into account the *offender* in these situations. Often those with the ability to work for corporations and organisations in the capacity of computer programming also posses the skills to program viruses and other cybercrimes. This makes the detection and monitoring of potential cyber-criminals much more difficult. Offenders might also be hackers trespassing on someone else's computer for fun or with a more sinister intention to vandalise. Others may commit cybercrime without realising it, or without realising the consequences of the act, such as when an individual pirates software from a friend. How to deal with crimes of this nature is only now being discussed. A number of international fora and conferences have focussed on the concern for national security posed by the threat

of cybercrime, and these meetings have concentrated on the need for legislation. A classification system for cybercrimes has been created by the United States which categorises cybercrime into four categories: *computer as target*, where the crime involves trespassing, vandalism and information theft; *computer as instrument of crime*, where a system or process is modified to perform illicit functions; *computer is incidental to other crime*, the computer facilitates the commission of the crime such as distributing child pornography over the Internet; *crimes associated with the prevalence of computers,* where the crime involves the theft of hardware or software.

Cybercrime is constantly pushing the boundaries of security. The results can be crippling, and as the number of information warfare and cybercrime attacks grow and become more sophisticated, the threat to national and international security increases. Current security structures are not sufficiently equipped to deal with cybercrime or information warfare, as they are directed towards physical security threats. Legislation, where it exists, does not move fast enough to keep up with the ever-changing nature of these types of crimes, and often loopholes are found. This is true at both the national and international levels. Security agencies such as local police do not have the necessary knowledge or equipment to effectively understand, much less combat cybercrime. The author suggests that while cybercrime is not yet considered to be a major transnational crime, as soon as a major incident occurs, cybercrime will be on par with the drug trade as an international concern.

Speer proposes that the first step towards combating cybercrime is to increase funding domestically to improve security structures. He does, however, also note that net increases in the number of enforcement agencies could inhibit communication between the agencies and increase the potential for corruption among members. The author also advocates public education of what is and what is not legal computer activity. Speer proposes that with a better educated population, fewer ordinary people would commit cybercrimes allowing enforcement personnel to direct resources to investigating more serious cyber-criminals.

In Canada, we have seen an increased awareness of and concern for cybercrime. While there is little academic literature on the topic, anecdotal and media representations of crimes of this nature are in abundance. Activities such as the trading of child pornography over the Internet as well as luring of youths over the internet have become a great concern, so much so that the Department of Justice has drafted legislation to combat these activities. Other illicit activities bordering on information warfare have also come to the surface as in the case of the various e-mail viruses (i.e., Mafiaboy, a teenager from Quebec who was able to disrupt the Web sites of CNN and major universities in the United States).

PHYSICAL CHILD MALTREATMENT AND FAMILY FUNCTIONING

Pelcovitz, David, et al. (2000). **Adolescent Physical Abuse: Age at Time of Abuse and Adolescent Perception of Family Functioning**. *Journal of Family Violence*, 15, 375-389.

Reviewer:
Michael MacDonald, Research Analyst

The physical abuse of children in North America has been subject to much study both in terms of exploratory research and policy analysis. Despite considerable evidence that adolescents constitute a sizeable group of those physically abused, little systematic research has been conducted to highlight their particular experiences. What is generally known is that adolescent abusing loosely falls into three categories: (a) abuse first occurring during childhood and continuing through to adolescence; (b) abuse that represents a change in the nature and severity of discipline brought about during the move from childhood to adolescence; and (c) coincidental abuse that first occurs due to the developmental demands of adolescence.

Of the existing studies examining adolescent physical abuse, most have relied upon small sample sizes and allowed for the inclusion of variables relating to sexual abuse. This has seriously impeded the generalisability of results. The authors of this work have improved on these methodological issues by designing a study with equally matched samples, with sexual abuse being an exclusion criterion. The two major hypotheses examined were: (1) that physically abused adolescents would describe their families and parents as more impaired on a variety of dimensions than the non-abused adolescents; and (2) there would be significantly more family dysfunction, as reported by adolescents, in the adolescent-onset abuse group compared to the childhood-onset abuse group.

Inclusion into the abuse group sample was strictly controlled by the researchers. In the end, the sample consisted of 99 Caucasian adolescents aged 12-18 and their families residing in the Nassau and Suffolk Counties of New York where Child Protective Services had confirmed that abuse was occurring within the past two years by either a biological or step-parent. Inclusion in the non-abused group sample was equally rigorous as participants were randomly selected, interviewed, and then matched according to age, gender, race, and socio-economic status. Interestingly, the researchers discovered that significant differences in family composition existed between the two samples. For example, a much younger median age for mothers was found in the abused sample as well as fewer intact families.

In order to effectively test the foregoing hypotheses, the researchers employed interviewers blind to subject abuse status who administered five measurement scales testing family functioning in terms of the adolescents' perception of their family's cohesiveness, flexibility, and degree of parental care and protection. These scales included the *Family Adaptability and Cohesion Evaluation Scale (FACES III), Parental Bonding Instrument, Wechsler Intelligence Scale for Children-Revised, Conflict Tactics Scale,* and a *Family Disagreements Interview.*

Through the use of t-tests, chi-square tests, and simple descriptive statistics, the researchers produced the following results. Abused adolescents viewed their families as significantly less cohesive, balanced, and adaptable than the non-abused adolescents. Abused adolescents also viewed their parents as less caring and abusive fathers were seen as more overprotective. In terms of the age of onset of abuse and family adaptability or cohesion, the research concluded that there was no difference between childhood-onset abuse and adolescent-onset abuse families, just as there was no significant difference in the severity of abuse committed between the childhood and adolescent-onset abuse groups. Finally, the researchers discovered that physically abused adolescents tended to see their families as rigid and their parents as emotionally unavailable more so than the non-abused adolescents.

The findings of this research are interesting on two levels. First, the results indicate some degree of awareness among abused adolescents of their family dysfunction and a conceptual realisation of 'normality' expected. This is extremely important in terms of providing counselling services to abusive families and assisting the normal developmental stages of young persons. Second, the need for families and parents to employ flexible negotiating and problem solving skills to foster a healthy family environment is imperative if abusive situations are to be avoided. If abusive families are to be provided guidance on how to avoid or cease abusive behaviours, much effort has to be placed on including effective problem solving skills.

Though the methodology of this research is generally sound, the authors admit to certain shortcomings. Most notably is the need to diversify the two sample groups on the criterion of family location and race. In addition, employing some form of observational analysis or even a longitudinal research design tracking the families and abused adolescents over time would greatly increase the generalisability of results. However, the most prominent shortcoming in the Canadian context is the reliance upon American subjects. Despite this, its relevance to various Canadian governmental initiatives dealing with children, youth, and families is significant in what it says about adolescent perceptions and the various familial factors that may contribute to abusive situations. Having a better understanding of these issues in any context will assist preventative or corrective measures regardless of national or international nuances.

RESEARCH IN PROFILE: FROM CANADIAN ACADEMIA

Dating Violence Amongst New Brunswick Adolescents

E. Sandra Byers, Ph.D., Heather A. Sears, Ph.D., and the Dating Violence Research Team
Muriel McQueen Fergusson Centre for Family Violence Research, University of New Brunswick

Psychological, physical, and sexual abuse are characteristic of many teenage heterosexual dating relationships (Gagné & Lavoie, 1995; Jaffe, Sudermann, Reitzel, & Killip, 1992; Mercer, 1988; Poitras & Lavoie, 1995). However, few studies have examined all three forms of dating violence within the same group of youths and the experiences of young adolescents and adolescents living in rural communities have been particularly neglected. The research described here was designed and conducted by the Dating Violence Research Team of the Muriel McQueen Fergusson Centre for Family Violence Research at the University of New Brunswick. This is a multi-disciplinary team engaged in action-oriented research directed at the prevention of dating violence between teenagers. As a first step, we conducted two studies on dating violence in adolescent heterosexual dating relationships.

STUDY 1

Participants and Procedure
Almost seventeen hundred students (886 boys and 812 girls), attending grades 7, 9, and 11 in English and French schools in New Brunswick participated in this study. They ranged in age from 11 to 20 years (M=14.6 years, $SD \approx 1.9$). The majority of the participants lived in rural communities (86 percent), and 84 percent of them had begun dating. Students were given an information letter about the study to take home to their parents. Potential participants were read an informed consent sheet and then invited to complete a survey booklet in French or English that contained (amongst others) questions about their demographic characteristics; experiences of psychological, and physical abuse in a dating relationship (revised 7-item version of the Conflict Tactics Scale, Straus, 1979); experiences of sexual abuse in a dating relationship (revised 9-item version of the Sexual Experiences Survey, Koss, Gidycz, & Wisniewski, 1987); and attitudes towards male-to-female and female-to-male dating violence (Attitudes Towards Dating Violence Scales, Price, Byers, & the Dating Violence Research Team, 1999).

Results
Of the students who had begun dating, 22 percent of girls and 12 percent of boys reported having had an upsetting psychologically and/or physically abusive experience. Upsetting sexually coercive experiences were reported by 19 percent of girls and 4 percent of boys. Overall, 29 percent of the girls and 13 percent of the boys had experienced some form of dating violence. Girls were more likely to experience dating violence than were boys, $F(1, 1371) = 6.68$, $p < .001$.

The majority of girls and boys were not accepting of psychological, physical or sexual dating violence perpetrated by boys or by girls. However, some students were generally accepting of each type of dating violence and many students responded that some of the specific abusive behaviours included on the scales (e.g., slapping, use of threats) are appropriate in dating relationships. Further, boys were more accepting of each type of dating violence than were girls, $F(3, 807) = 55.81$, $p < .001$ and both boys and girls were more accepting of female than of male use of violence, $F(3, 807) = 3705.17$, $p < .001$. Grade 11 students had significantly lower scores than did the younger students on some of the scales.

STUDY 2

Participants and Procedure
To complement the quantitative data on adolescents' experiences of psychological and physical abuse in dating relationships, the researchers conducted a qualitative study using focus groups (Feldman, 1995; Silverman, 1993). Students in Grades 9 and 11 in a number of schools were recruited to participate. Sixteen focus groups (8 with girls and 8 with boys)

were conducted to discuss youths' ideas about psychological abuse in dating relationships; an additional 10 focus groups (5 with girls and 5 with boys) were conducted to discuss youths' ideas about physical abuse. Each focus group consisted of 8-12 students. All group sessions were audio-taped and typically lasted 60-90 minutes. The audio-tapes of the sessions were transcribed and the text was coded in relation to the questions in the interview guide. All members of the Research Team participated in identifying the main themes that emerged.

Results

Four primary themes representing teenagers' ideas about dating violence emerged from the focus groups. The first theme focused on adolescents' lack of clarity about when specific behaviours (e.g., yelling, use of control, insults) were acceptable and when these behaviours "crossed the line" and were abusive. In addition, boys tended to define abuse in terms of its *intent* whereas girls tended to define abuse in terms of its *impact*. The second theme described adolescents' view that psychological and physical abuse in dating relationships are integrally connected. They did not make a clear distinction between psychological and physical abuse; instead, they saw psychological abuse as leading to physical abuse.

The third theme described adolescents' awareness of a double standard for boys and girls regarding the use of physical violence in dating relationships; that is, girls' use of physical abuse is seen as more acceptable by peers and society than boys' use of physical abuse. The youths also emphasised that because boys are socialised not to talk about their feelings or problems, boys tend to keep their emotions contained until they build up and explode physically and/or emotionally. The fourth theme highlighted adolescents' concern about the issue of dating violence. They stated that they were willing to be part of a solution, and specifically asked for assistance with developing skills for having healthy relationships.

Conclusions

Results show that dating violence is a serious problem among New Brunswick teenagers. An alarming minority of students, more often boys, believe that abusive behaviour is appropriate and acceptable, and that it is more acceptable for girls than it is for boys. These patterns suggest that neither media attempts to raise awareness of family violence nor current dating violence prevention programs in the schools have been entirely successful. The fact that younger students are more accepting of dating violence than are older students and that a substantial number of students in grade 7 have already experienced dating violence suggests that efforts need to target young adolescents before they start dating.

The focus group study also highlights the complex nature of teenagers' understanding of psychological and physical abuse in dating relationships and gender differences in their ideas. These perceptions suggest that there is a need to teach boys to be more empathetic to their partner's experiences and to understand that honourable intentions do not excuse violent behaviour. Further, there is a need to teach girls that it is no more acceptable for them to engage in aggressive behaviour than it is for boys to do so. Adolescents need to learn to communicate more effectively with their partners about the impact of their behaviour. This fits with the teenagers' own expressed need to learn about healthy relationships and to develop skills to resolve conflicts and disagreements without violence. Finally, the adolescents noted that boys have few appropriate outlets for their negative emotions as they have been socialised to "bottle up" their feelings. The researchers agreed with the teenagers that boys, like girls, should be encouraged to discuss and express their feelings and that these feelings should be taken seriously.

The results have a number of research implications. For example, there is a need to determine how the media can be used more effectively to prevent dating violence. There is also need for more research on the types of school-based programs that will reach students and change their behaviour. Students in the focus groups specifically commented on the ineffectiveness of current anti-violence programs, suggesting that they be replaced with proactive programs that would teach them the positive skills they need to maintain healthy relationships.

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RESEARCH IN PROFILE: FROM THE RESEARCH AND STATISTICS DIVISION

The Effectiveness of Restorative Justice: A Meta-analysis

Jeff Latimer, Senior Research Officer, Research and Statistics Division
Craig Dowden, Principal Researcher, The Action Group
Danielle Muise, Research Assistant, Research and Statistics Division

Introduction

Current program and policy activity at both the governmental and community level suggests that restorative justice, in its many forms, is emerging as an increasingly integral element of the Canadian criminal justice process. Accordingly, research efforts into understanding restorative justice practices need to be expanded. Given that the field of restorative justice research is maturing, there is a need to aggregate the present body of empirical knowledge. This project represents an empirical synthesise of our current knowledge of the effectiveness of restorative justice practices using meta-analytic techniques.

Method

In an attempt to operationalise the term *restorative justice*, we chose to limit the analysis to programs that sought to bring together the victim, the offender and the community to attempt to repair the harm caused by crime. The presence of 'restorative' elements, such as restitution and community service, was not sufficient for a program to be considered restorative.

In addition, we identified four appropriate outcomes that were measurable and linked directly to the goals of restorative justice: victim and offender satisfaction, recidivism and restitution compliance.
Similar to traditional quantitative research methods, the meta-analytic process involves three basic steps:

Literature review – identifying and gathering relevant research studies;
Data collection – extracting quantitative data through consistent coding procedures;
Data analysis – analysing the aggregated data using statistical techniques.

A meta-analysis can be understood as a statistical analysis of a collection of studies that aggregates the magnitude of a relationship between two or more variables. Essentially, a meta-analysis is a quantitative literature review that minimises subjectivity and treats each research study as a single data point in a larger research study. The outcome of a meta-analysis is an *effect size*, which can be interpreted as the estimated effect of the independent variable on the dependent variable. For example, an average effect size estimate of .10 translates into the independent variable effecting an 10 percent change in the dependent variable. For a more detailed description of the methods used in the project please refer to the full report available soon from the Research and Statistics Division.

Results
There were 22 unique studies that examined the effectiveness of 35 individual restorative justice programs which generated 66 effect sizes for the meta-analysis. The vast majority of the effect sizes were derived from programs that targeted predominantly male (94 percent), young (74 percent) offenders. Interestingly, a large proportion of the effect sizes were drawn from studies (55 percent) that were not published in peer-reviewed academic journals. While meta-analytic work is often criticised for relying primarily on 'published research', this present meta-analysis clearly addressed this limitation. For a more detailed description of the results, and further analysis based upon program characteristics, offender characteristics and methods, please see the full report. The following general results are based upon separate analysis for each of the four outcomes (victim satisfaction, offender satisfaction, restitution compliance and recidivism).

Victim Satisfaction
The overall mean effect size for the 13 tests of treatment that explored the impact of restorative justice programming on victim satisfaction was +0.19. Although the effect sizes ranged from +0.44 to -0.19, there was only one negative value found in the distribution. In other words, compared to victims who participated in the traditional justice system, victims who participated in restorative processes were significantly more satisfied ($t(12) = 3.89$, $p < 0.01$).

Offender Satisfaction
The overall mean effect size for the 13 tests of treatment that explored the impact of restorative justice programming on offender satisfaction was +0.10 with a range from +0.31 to -0.71. Compared to the comparison groups not participating in restorative justice programs, offenders in the restorative justice programs were not significantly more satisfied. This conclusion is tempered, however, by the finding that although there were two negative effect sizes contributing to this result, the -0.71 was a clear outlier. Removing this study from the analysis increased the mean effect size to +0.17 and more importantly, resulted in the confidence interval not including zero, thus suggesting that these programs have a moderate to weak positive impact on offender satisfaction. The difference in offender satisfaction between restorative and non-restorative participation was now significant ($t(11) = 4.52$, $p < 0.01$) with offenders participating in restorative programming reporting a much higher satisfaction rate than offenders in the traditional justice system.

Restitution Compliance
Only eight studies examined the impact of restorative justice programming on restitution compliance. Overall, the mean effect size of +0.33 was quite high, indicating that offenders who participated in restorative justice programs tended to have substantially higher compliance rates than offenders exposed to other arrangements. Furthermore, there was a great deal of variability in the effect sizes found in these studies, with values ranging from +0.63 to -0.02. Compared to the comparison/control groups not participating in a restorative justice program, offenders in the treatment groups were significantly

more likely to complete restitution agreements (t (7) = 3.87, p< 0.01).

Recidivism

The overall mean effect size for the 32 tests that examined the effectiveness of restorative justice programming in reducing offender recidivism was +0.07. Although the effect sizes ranged from +0.38 to -.23, more than two-thirds of the effect sizes were positive (72 percent). Restorative justice programs, on average, yielded reductions in recidivism compared to non-restorative approaches to criminal behaviour. In fact, compared to the comparison/control groups who did not participate in a restorative justice program, offenders in the treatment groups were significantly more successful at remaining crime-free during the follow-up periods (t (31) = 2.88, p < 0.01).

Conclusion

The traditional criminal justice system, which has been often criticised as too formal, punitive and adversarial, is clearly changing. The large increase in the number of restorative justice programs operating in Canada is undoubtedly having an impact on criminal justice theory and practice. We are currently in a period of substantial change. But as the results of this meta-analysis indicate, we are moving in a positive direction. The addition of restorative justice programs have enhanced victim satisfaction in a process that was, by its very nature, a rather unsatisfactory experience. Moreover, this response to criminal behaviour has a strong impact by encouraging offenders to take responsibility for their actions and repairing some of the harm they have caused through restitution. And while the gains made in recidivism are not as strong as some other approaches (i.e., see Andrews & Bonta, 1998, for a discussion of 'effective correctional treatment' and its impact on recidivism), compared to the traditional criminal justice system, restorative justice does significantly reduce the likelihood of an offender committing a new offence. Finally, offenders who participate in a restorative justice program report moderate increases in satisfaction compared to offenders in the traditional system. The proliferation of restorative justice programming world-wide is therefore not surprising. Both the theory and empirical research tend to offer support for such a response to criminal behaviour. The next critical step for both research and program development is to obtain a better understanding of the processes that make restorative justice more effective and develop methods of improving practice.

FROM THE RESEARCH AND STATISTICS DIVISION: CURRENT AND UPCOMING RESEARCH

COSTING METHODOLOGIES AND CHALLENGES

Following the panel discussion on Costing Methodologies and Challenges for the Department of Justice, hosted by the Research and Statistics Division in August 2000, a transcript, as well as summary reports, are being prepared and can be requested from the contacts listed below.

Understanding Social Costs of Crimes

Recently, the Research and Statistics Division has completed a review of literature entitled, *Understanding Social Costs of Crimes through Costing Analysis*. The report outlines some economic concepts to be included when conducting benefit-cost or cost-effectiveness analysis in the areas of crime and justice. In addition, this literature review summarises methodologies used and elements or variables consider when measuring the social costs of crime in general. The report will available soon.

The Underground Economy

A second report, *The Size of the Underground Economy: A Review of the Estimates* has also been completed. Taking into account differences in definitions about what is and what is not part of the underground economy, and when and where the measurement is taken, this study reports on the considerable variability in the measurement of the size of the underground economy. This report, which is forthcoming, reviews dozens of measurements of the underground economy around the world during the past 50 years.

Finally, in an effort to continue building this capacity, the Research and Statistics Division is currently undertaking research to identify relevant sources for estimating the social costs of crime.

Contacts:
Stephen Mihorean, Senior Statistician
Chi Nguyen, Research Analyst

NUNAVUT JUSTICE

The Department of Justice Canada made a commitment to assist the Territory of Nunavut in its efforts to develop a justice system that meets the needs of the people in this new territory. A part of this initiative is a program of research to develop a knowledge base to assist the Nunavut government in policy decisions and to assist Nunavut officials to monitor and assess the implementation of justice programs and initiatives. General guiding principles in Nunavut include an emphasis on community justice approaches, building capacity in communities to address justice issues at a local level, and engaging the community to bring into any community-based justice project all voices of that community.

In the first phase (1999) of the research program, a series of developmental studies to assemble background information were completed. These reports have been discussed in previous editions of *JustResearch*. The following discusses some of the projects initiated in 2000, the second year of the Nunavut-related research program at the Department of Justice Canada.

Baffin Regional Correctional Centre Adult and Young Offender Project

This recently initiated research project focuses on the life and institutional experiences of offenders in adult and youth correctional facilities in Nunavut. It is anticipated that this investigation will be extremely useful in policy development and implementation of culturally appropriate institutional and community programming and reintegration strategies for offenders that can be employed in Nunavut that complement and enhance community justice.

Contact: John Clement, Research Analyst

Review of Provincial and Territorial Domestic Violence Legislation and Implementation Strategies

Nunavut Territory is considering developing its own domestic violence legislation. To inform this decision we undertook a review of the legislation, implementation strategies and evaluations of the five jurisdictions that already have such legislation in place. A detailed comparison of key clauses of the Saskatchewan, Prince Edward Island, Yukon, Alberta and Manitoba domestic violence acts and regulations is charted in this report.

In addition, key factors in successful implementation strategies are discussed. The analysis of implementation strategies explores five main areas, i.e., process and breadth of the consultation processes leading up to legislation drafting; infrastructure requirements necessary for successful implementation; training of various criminal justice personnel; communications and public legal education strategies; and the impact of the provincial/territorial family violence legislation on charging patterns.

Contact: Anna Paletta, Research Analyst

NUNAVUT JUSTICE AND VICTIM SERVICES

In response to the high rates of victimisation and need for victim services in Nunavut, two victim services-related research projects are currently underway. These are both discussed below.

Victim Services Currently Available in Nunavut

This research project, just underway, is to review how victims are currently being dealt with in Nunavut. It includes two components. The first component will produce a comprehensive inventory of any services currently available to victims in the twenty-six communities of Nunavut. The second component is qualitative research into the traditional Inuit and informal ways that communities are are addressing the needs of victims. This component is important in communities where there is little or no formal infrastructure for victim services. Moreover, it is important for all communities as it will provide valuable information on traditional capacities and social organisations upon which to build the most appropriate services for Nunavummiut victims that

go beyond "indigenisation" (Harold Finkler, 1992), i.e., services that incorporate Inuit values and methods as well as Inuit people.

Contact: Anna Paletta, Research Analyst

Review of Programs in non-Nunavut Remote Communities

This second research project will review victim services that have been undertaken in other remote (non-Nunavut) indigenous communities to assist in building on the best practices and lessons learned in considering possible victims services adaptable for Nunavut. This review for adaptable victim-related services will include the North West Territories, Yukon, Alaska, and the review of documentation available on services in New Zealand, Australia, and the circumpolar nations where reports are available in English. The findings are to be discussed with local key service providers in order to ensure that local knowledge is built into the analysis and recommendations.

Contact: Anna Paletta, Research Analyst

CHILD PORNOGRAPHY ON THE INTERNET – CANADA-US BORDER CONFERENCE

In October 2000, the Research and Statistics Division brought together a panel of experts to discuss Child Pornography on the Internet at the Canada – US Border conference organized by the Policy Research Secretariat. The panel included law enforcement officials from the Criminal Intelligence Service Canada, the Child Pornography Section of the Ontario Provincial Police and the Winnipeg Police Vice Squad. As experts in the investigation of the possession and distribution of child pornography, the panelists discussed the challenges presented by the Internet for exchanging this material. A representative of the US Department of Justice, Child Exploitation and Obscenities section also presented the obstacles encountered when investigating and prosecuting child pornography on the Internet based on the American experience. Finally, Dr. Max Taylor shared the research he and his colleagues have been conducting at the University College Cork in Ireland as part of the Combating Paedophile Information Networks in Europe project. Look for a summary and the transcripts of the panel proceedings to be available in April.

Contact: Suzanne Wallace-Capretta,
Senior Research Officer

The Effect of Family Attachment and Disruption on Aboriginal and non-Aboriginal Inmates in the Prairie Region

In co-operation with Correctional Service Canada (CSC), Indian and Northern Affairs Canada (INAC), the Assembly of First Nations (AFN), and Native Counselling Services of Alberta (NCSA), the Research and Statistics Division is currently involved in a joint research project examining the effects of family attachment and disruption among Aboriginal and non-Aboriginal inmates. The research sample includes federally incarcerated male and female offenders serving sentences in either Alberta, Saskatchewan, or Manitoba.

The project is designed to examine the individualistic and cultural effects of family disruption and attachment within Aboriginal communities, (though a parallel analysis will occur for non-Aboriginal participants). Specific issues will include an examination of group home, foster home, residential school, and adoption experiences. The research will involve in-depth personal interviews of Aboriginal and non-Aboriginal inmates, along with an examination of offender case files, in order to assess several research and policy relevant questions.

Contact: Michael MacDonald, Research Analyst

THE FUTURE OF CRIME: A REVIEW OF THE RESEARCH

This research will identify organisations that have undertaken research in each of the following areas:

- crime trend analysis;
- forecasting the future of crime;
- quantitative estimates; and,
- impact assessments.

This review will provide an introductory overview of the literature, research, and analytical tools used by these organisations and individuals and an analytical review of the scope and nature of the research

conducted. For each organisation the report will identify:

- their mandate and objectives and the scope and nature of their research (including an overview, specific projects, and databases that have been compiled)
- research methods, instruments, analytical tools, and software they have used to:
  - identify and examine crime trends;
  - project current crime trends and predict future crime trends and patterns;
  - quantitatively estimate the scope of current and future crime trends;
  - qualitatively and quantitatively estimate the impact of crime on society;
- the use of this research and analysis for public policy and program purposes.

The report will also discuss the utility of conducting these types of research and analyses, especially given the inherent difficulties in accurately compiling quantitative estimates, assessing the impact of crime, and making predictions on the future of crime. In addition, it will identify best practices and evaluations that have assessed the validity, reliability, and accuracy of the research and analytical methods and outcomes.

Contact: Valerie Howe, Senior Research Officer

CONDITIONAL SENTENCING IN BRITISH COLUMBIA "POST-*PROULX*"

In January 2000, the Supreme Court of Canada handed down a unanimous guideline judgement (R v. *Proulx*) on the use of conditional sentences. The present study will assess the impact of the *Proulx* decision through a pre/post analysis of conditional sentences in three court locations in British Columbia. This is Phase Two of a two-part study on the use of conditional sentences in British Columbia. Phase One involved the collection of data from court files on all conditional sentences imposed during a one-year period (January 1, 1998 - December 31, 1998). Research questions in the present study will focus on variables that could be expected to change as a result of *Proulx*. This study will examine (1) offence profiles, (2) sentence lengths, (3) the use of optional conditions, (4) breach rates, and (5) responses to breaches. The time period examined will be March 1, 2000 to December 31, 2000.

Contact: Dan Antonowicz, Research Analyst

RESEARCH AND STATISTICS DIVISION SEMINAR SERIES

The Research and Statistics Division seminar series, which began last year, has been extremely successful. Speakers are drawn from the socio-legal community, and the series has attracted audiences from 50 people. The purpose of the series is to integrate research and policy perspectives on important justice-related topics.

This years' Winter Series included the following sessions:

Life on the Heater: Homeless in Ottawa
Tom Mann, Filmmaker, Prison Life Media
January 19, 2001

The Development of Offending from Childhood to Adulthood
Dr. David P. Farrington, Professor of Psychological Criminology at the Institute of Criminology, Cambridge University
January 25, 2001

Organised Crime
Dr. Jim Finckenaur, United States Department of Justice, Office of Justice Programs
February 9, 2001

Fear of Crime
Dr. Mark Warr, Professor of Sociology, University of Texas at Austin
March 9, 2001

Please see our intranet site for more information on our upcoming seminars. Any suggestions you might have for future topics and/or speakers would be most welcome.

Contacts: Karin Stein, Research Officer
Jasmine Brown, Research Dissemination Officer

CURRENT AND UPCOMING RESEARCH FROM AROUND GOVERNMENT

CORRECTIONS RESEARCH BRANCH, SOLICITOR GENERAL CANADA

Dynamic Supervision Project: Evidence-based Risk Assessments for Sexual Offenders
R. Karl Hanson, Ph.D. and Andrew J. R. Harris, M.Sc.

Sex offences are among the crimes that invoke the most public concern. This concern is particularly intense when it appears that the sex offence should have been predicted and could have been avoided. The prediction of sexual recidivism, however, is difficult. Contrary to popular belief, most sexual offenders are never reconvicted for a sexual offence, and those that do recidivate, rarely announce their intentions.

In recent years there have been considerable advances in the ability to predict sexual and violent recidivism. Most of the research has focussed on static (historical, unchangeable) risk factors. Although static risk factors are useful in determining long-term recidivism potential, knowledge of dynamic (changeable) risk factors is required to predict the timing of reoffense, and for determining where to intervene.

In this three-year, prospective study, systematic evaluations will be conducted on over 1,000 sexual offenders. The evaluations will include static factors (Static-99; Hanson & Thornton, 1999) and dynamic factors (Sex Offender Need Assessment Rating [SONAR – 2000]; Hanson & Harris, 2000). This information will be collected by community supervision officers in the course of their regular meetings with sexual offenders.

This project is intended to be national, with potential participation from all provinces, territories and regions. To date, about half the provinces have committed themselves to this project and discussions are continuing with the remaining jurisdictions. This project will also include some international jurisdictions (Alaska, Iowa and possibly one probation service in England). The major product of this study, expected in 2003-2004, will be an empirically validated risk scale for sexual offenders that combines static and dynamic factors. Such a scale would be useful for estimating the probability of recidivism, knowing when intervention is required, and knowing what offenders need to change.

For further information, contact either R. Karl Hanson at (613) 991-2840 (hansonk@sgc.gc.ca) or Andrew Harris at (613) 991-2033 (harrisa@sgc.gc.ca).

CANADIAN CENTRE FOR JUSTICE STATISTICS, STATISTICS CANADA

Crime Statistics 1999 (Vol. 20, No. 5)

The 1999 crime rate was 7,700 offences per 100,000 people or 7.7 offences per 100 persons. The rate was 5.0 percent lower than in 1998 and 25 percent lower than in 1991 and was the lowest crime rate in the last 20 years. This was also the eighth consecutive annual decrease in overall crime rate. Property crimes accounted for 55 percent of all *Criminal Code* offences in 1999. Violent crimes accounted for 12 percent while crimes other than property and violent crimes accounted for 33 percent. All offence rates per offence types decreased except for drug offences. The 1999 rate was 12 percent higher than in 1998 and 18 percent higher than in 1997. However, it was still 14 percent below the peak rate in 1980. Youth charge rate was 7 percent lower than in 1998 and 35 percent lower than in 1991.

Family Violence in Canada : Statistical Profile 2000

Based on the General Social Survey 1999, women and men experience violence in similar proportions. Eight percent of women and 7 percent of men experienced some type of violence involving an

intimate partner during the previous 5-year period. However, there are differences in type, seriousness and occurrence of violence between men and women: women experience more serious forms of violence, they were more likely than men to report being victimised on more than one occasion, they reported physical injury in higher proportions and they also suffered greater negative consequences as a result of spousal violence. This report also examines police reports of spousal violence and spousal homicide, violence against children and youth, and violence against older adults.

Homicide Statistics 1999 (Vol. 20, No.9)

This release reported the lowest homicide rate since 1967. The homicide rate in Canada was 1.8 per 100,000 population in 1999, 4 percent lower than the previous year. Just over half (51 percent) of the reported homicides in 1999 were classified by the police as first degree murder, 39 percent as second degree murder and 11 percent as manslaughter. There was however a small increase in the number of firearm homicides (151 in 1998 to 165 in 1999). Firearm homicides represent 31 percent of all homicides reported to police in 1999. Canada's homicide rate is three times lower than the United States (5.8 per 100,000 population), however, the Canadian rate is still higher than many European countries (England and Wales, France, Germany, Italy, and Switzerland).

Upcoming releases will include data on criminal victimisation, criminal harassment and public perceptions of the criminal justice system. For more information on these releases or any justice statistics, please contact Nathalie Quann of the Research and Statistics Division or the Canadian Centre for Justice Statistics at 1-800-387-2231.

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